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SUBJECT: ANTI-FRAUD MEASURES FOR GUATEMALAN ELECTIONS

REF: BOYNTON-HAMILTON EMAIL 9/10/03

1. Summary. This message provides information about procedures to prevent electoral fraud in response to questions raised at the September 4 Policy Coordinating Committee meeting on Guatemala. We are encouraged by the measures that electoral authorities and institutions are taking to reduce possibilities for fraud, but will continue to monitor this subject vigilantly through the November 9 and December 28 elections. End Summary.

Q: With 100 mesas being added, especially in rural areas/outside Guatemala City, have the international observers taken that into account in their coverage of election day?

A. Yes; the OAS election monitoring team is aware that there will be extra voting tables and is working closely with the Supreme Electoral Tribunal (TSE) on coverage. The actual number of additional tables remains to be determined (may be more or less than 100), as the number will be based on the final approved version of the voter registration list ("padron electoral"), which is still being verified.

Q: Security of the voting card; ability to manipulate or reproduce them; how will voter ID's be validated?

A. The national identity document required to register to vote, known as the "cedula," is a multi-page booklet, one of whose pages is reserved for voter registration. When the owner is registered, that page is stamped with a voter registration number that is checked against the registry maintained by the TSE.

Numerous municipalities are authorized to issue cédulas and some have been credibly accused of selling cédulas to illegal immigrants. The Consular section sees many of them in connection with visa applicants. After careful review of the situation, however, we are confident that sufficient safeguards are in place for the following reasons:

-- The use of indelible ink effectively prevents voters from voting more than once, as it penetrates the skin and takes several days to wear off. False cédulas are therefore useful only to people who would otherwise not be able to vote, such as foreigners, members of the police and military, convicted felons, or underage people. Police and military together constitute only 50,000 possible votes--not enough to matter at the national level even if every single one voted and then was somehow able to hide the inky finger. Underage people and foreigners would be easily detected if they tried to vote in numbers large enough to affect the outcome.

-- As part of the registration validation process, the TSE checks the registry against lists provided by the military, police, judiciary, and municipalities, removing the names of ineligible or deceased voters. Although the TSE is not able to investigate every registration, it focuses on newly registered voters, especially if the voter has not recently come of age.

-- Anyone who intends to use a false cedula to vote needed to have registered to vote before the August 9 deadline. Since then, TSE officials have been verifying the rolls against the civil registries of births (which are books, with chronologically entered handwritten entries) maintained by municipalities. In order to successfully register a fraudulent cedula with the TSE, the cedula must match an entry at least 18 years old in the civil registry of some municipality. Additionally, the entry cannot belong to someone who has already registered to vote or the TSE computers will detect the match. OAS Observer Mission Chief Valentin Paniagua and the TSE have independently concluded that the growth of the voter registry is in line with population growth. In other words, there was no explosion of newly registered voters at the national level.

-- TSE officials have detected and investigated unusual growth rates in voter rolls at the municipal level (such as in Villa Nueva, a suburb of the Capital), but so far all the investigations have unearthed reasonable explanations and no signs of serious fraud.

Taken together, these safeguards significantly raise the effort required to register to vote fraudulently and reduce the likelihood that fraud can be perpetrated on a massive scale.

Q: Validation and review of civic education efforts to assure voters of the secrecy of their vote on election day?

A. A large-scale campaign of TV and radio spots in indigenous languages as well as numerous full-page ads in all the major newspapers is well underway. Additionally, the largest newspaper in circulation, Nuestro Diario, has launched its own get-out-the-vote campaign, also using full page announcements and ads.

HAMILTON